



Many Voices Working for the Community

Oak Ridge Site Specific Advisory Board

December 2, 1999

Mr. Jon Johnston
Federal Facilities Branch Chief
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, S.W., FFB
Atlanta, GA 30303-3415

Dear Mr. Johnston:

Comments on the Draft Proposed Sampling and Analysis Plan for the Scarboro Community, Oak Ridge, Tennessee; SESD Project No. 99-0351 (Revision 1)

The Oak Ridge Site Specific Advisory Board (ORSSAB) has reviewed the subject document and submits the following comments, which were approved at our December 1, 1999, Board meeting. Some of these comments were initially presented for the record by individual ORSSAB members at our September 1, 1999, Board meeting. Those remarks are repeated here in response to EPA's request for written comments on the document.

1. We are concerned that EPA has reached its decision to verify DOE's 1998 sampling effort without adequate rationale and without considering the wishes of the entire Oak Ridge community. Our specific questions are: Does EPA routinely conduct such activities in response to one individual's request? And as a follow-up, would EPA conduct a similar study of the entire Oak Ridge community if requested by City Council, for example?

The rationale for undertaking this additional sampling has not been adequately justified. EPA's basis for concern regarding radiological conditions in the Scarboro Community has not been established in a way that identifies the necessity to verify DOE's results, nor has there been any scientific basis established for the need for verification.

A basic question that deserves an answer is: Does EPA have any scientific reason to question the DOE study? If so, what is it? If not, why should the proposed study be undertaken? EPA's response to these questions, which were posed at our September 1 Board meeting, was to supply (via letter from Connie Jones dated 11/2/99) a copy of S.E. Matthews' memorandum "EIB-HWS Review of the Scarboro Community Environmental Study for Oak Ridge, Tennessee, SESD Project No. 99-0081." The questions and remarks in that memorandum are not substantive enough to support EPA's

assertion that independent verification by EPA is required. Rather, they could be quickly resolved by addressing them with DOE.

At our September 1 Board meeting Camilla Bond Warren cited "EPA guidance" as an additional reason for performing sampling validation, but in the supporting documentation sent us (also included in Ms. Jones' 11/2/99 correspondence) Jim Woolford states in his memorandum that the purpose of that guidance "...focuses on streamlining the regulatory oversight processes at federal facilities," not on duplicating sampling efforts.

2. We believe that the inherent heterogeneity of soils will make comparison of samples unreliable, and we are concerned that EPA has apparently decided to pursue this effort without considering what actions it will take should the study fail to validate DOE results. Consideration of follow-on actions may indicate alternate sampling strategies or methods, such as split samples to be analyzed by DOE contractors. More importantly, would there be a request to delay the entire DOE Environmental Management Program until discrepancies in Scarboro are resolved?
3. Assuming that EPA can substantiate the case for additional sampling, we feel it should be performed in a more comprehensive manner to include other areas in Oak Ridge. Such an effort should include comparative sampling methodology that will allow for direct comparison of specific uranium isotopes.
4. While we find no technical errors in the draft "Sampling and Analysis Plan" prepared by EPA, we do comment that, based on Board members' professional experience in the area of environmental sampling, such a plan generated by a contractor for EPA would likely be rejected for lack of detail.

In addition to ORSSAB comments, we are including a copy of our September 1, 1999, Board meeting minutes, which record comments made by the public (including residents of the Scarboro Community) concerning the draft sampling plan. We believe that the questions regarding the rationale and need for the study are pertinent. The questions raised are not adequately addressed by Ms. Warren's statement that "EPA feels verification is normal in this case." We request that EPA consider these public comments in the same manner as those made by ORSSAB and respond to them in writing, addressed to ORSSAB.

We also enclose a copy of our letter to Ms. Warren, dated 6/11/98, "Request for Written Information on the Proposed Environmental Media Sampling Program." You will note that our concerns and questions are basically the same and remain essentially unanswered after almost a year and a half. Ms. Warren's response, dated 7/2/98, and her oral comments do not answer the basic questions of why EPA is undertaking this effort and how the results will be compared with the DOE measurements. Without a well-developed, common understanding of these factors, the effort will almost certainly be counterproductive. The only specific questions answered by Ms. Warren's 1998 letter pertain to the purpose of the effort and the fact that EPA is undertaking similar activities at Savannah River. While

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Ms. Warren's letter agrees with our position that the EPA sampling plan for Oak Ridge "...should specifically address scope, protocol, and cost," the current document fails to meet that commitment.

It is our position that this effort should not proceed without adequate and acceptable responses to these concerns. As a Federal Advisory Committee Act group, established under Federal Energy Regulatory Commission guidelines, ORSSAB hopes that EPA will respond in a manner which recognizes our responsibility to be representative of and responsive to the majority of the citizens of this region.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven H. Kopp". The signature is fluid and cursive, with the first name "Steven" being more prominent than the last name "Kopp".

Steven H. Kopp, Chair

SHK/plo

Enclosures (2)

cc with attachments:

Dave Adler, DOE-ORO
Carolyn Davis, DOE-ORO
Jennifer Friday, Scarboro Advisory Committee
Susan Gawarecki, Local Oversight Committee
Dick Green, EPA Region 4
J.B. Hill, Scarboro Community Environmental Justice Council
Constance Jones, EPA Region 4
Earl Leming, TDEC
Rod Nelson, DOE-ORO
Ellen Smith, Environmental Quality Advisory Board
Camilla Bond Warren, EPA Region 4